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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON**

In re:

GIGA WATT, Inc., a Washington
corporation,

Debtor.

Case No. 18-03197 FPC 7

The Honorable Frederick P. Corbit

Chapter 7

**CHAPTER 7 TRUSTEE'S
MOTION (I) TO ESTABLISH
CASE NOTICE PROCEDURES
AND (II) APPROVE LIMITED
NOTICE REGARDING SPECIFIC
MOTIONS**

Mark D. Waldron, in his capacity as the duly-appointed Chapter 7 Trustee, hereby moves (the "Motion") the Court for entry of an Order, in the form attached hereto as **Exhibit A**, establishing notice procedures for this Chapter 7 case generally and to approve limited notice for the motions specified herein.

This Court has jurisdiction over this Motion under 28 U.S.C. §§157 and 1334. This Motion raises a core matter. 28 U.S.C. §157(b)(2)(A).

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Limited Notice, etc.- Page | 1

1 The bases for the relief requested in this motion are 11 U.S.C. § 105(a),
2 Fed.R.Bank.P. 2002 and L.B.R. 2002-1.

3 **REQUEST FOR APPROVAL OF LIMITED NOTICE**

4 L.B.R. 2002-1((b)(2) requires “[a]ny party seeking an order or other
5 authority based on notice and hearing” to give notice. L.B.R. 2002-1(b)(1)(B)
6 adds, “Notice is appropriate if it reaches all those with a potential good faith
7 objection to the proposed order or action.” Fed.R.Bank.P. 2002(m) permits the
8 Court to enter orders designating the manner and scope of notice. L.B.R. 2002-
9 1(b)(1)(B) allows “less inclusive notice . . . if not prohibited by the Code or Rules
10 and specifically allowed by the Court or local rules.”

11 The Master Mailing Matrix for this case includes 414 mailable addresses.
12 Photocopying and postage expenses as well as other expenses associated with
13 such large mailings would be extremely burdensome and costly to the estate .
14 Therefore, the Trustee requests that limited notice be sent in all matters covered
15 by Fed.R.Bank.P. 2002 *with the exception of*: (i) any motion to convert the case
16 to another chapter or to dismiss the case; (ii) the time fixed for filing chapter 11
17 administrative claims; and (iii) any professional’s final application for payment of
18 fees and reimbursement of expenses in excess of \$10,000 (the “Limited Notice
19 Matters”).

20 The Trustee further requests that service be limited to: (i) the United States
21 Trustees Office; (ii) David Carlson, the Debtor’s director; (iii) Andrey Kuzenny,

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1 who signed the petition and schedules on the Debtor's behalf; (iv) holders of
2 allowed Chapter 11 administrative claims; (v) holders of the ten largest trade
3 claims; (vi) holders of the ten largest token and miner claims, and (vii) any party
4 whose interests are directly affected by a specific filing (the "Limited Notice
5 Service List"). A list of the ten largest trade claims and the ten largest token and
6 miner claims is attached hereto as **Exhibit B**. All parties registered with the ECF
7 system will automatically receive notice upon file.

8 The Limited Notice Service List includes all those with a potential good
9 faith objection to this Motion, the matters described herein, and to the motions
10 that the Trustee anticipates filing in this Chapter 7 case.

11 **REQUEST FOR APPROVAL OF NOTICE OF SPECIFIED MOTIONS**

12 On Monday, February 8, 2021, the Trustee filed the *Chapter 7 Trustee's*
13 *Motion for Order Approving Settlement Agreement (RI Landlord)*, ECF No. 849
14 (the "TNT Landlord Settlement Approval Motion"). Concurrently with this
15 Motion, the Trustee is filing the (1) *Chapter 7 Trustee's Motion for Allowance of*
16 *and Authority To Pay Chapter 7 Administrative Expenses (Storage And*
17 *Equipment Removal)* (the "Chapter 7 Administrative Claim Motion") and (2)
18 *Chapter 7 Trustee's Motion for Allowance of, But Not Authority to Pay, Chapter*
19 *11 Administrative Expenses (Stretto)* (the "Chapter 11 Administrative Claim
20 Motion").

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1 The Trustee intends to serve upon the Limited Notice Service List a notice
2 (the "Notice") in the form attached hereto as **Exhibit C**. The Trustee requests a
3 finding that the foregoing proposed service is proper and sufficient notice of this
4 Motion, the TNT Landlord Settlement Approval Motion, the Chapter 7
5 Administrative Claim Motion, and the Chapter 11 Administrative Claim Motion.

6 WHEREFORE, the Trustee requests that the Court enter an Order:

- 7 1. Granting this Motion in its entirety;
- 8 2. Authorizing the Trustee to limit notice of the Limited Notice Matters
9 to those entities included on the Limited Notice Service List;
- 10 3. Approving the form and manner of service of the Motion, the TNT
11 Settlement Motion, the Chapter 7 Administrative Claim Motion, and the Chapter
12 11 Administrative Claim Motion; and granting such other and further relief as the
13 Court deems appropriate and just.

14 Dated: February 15, 2021 POTOMAC LAW GROUP PLLC

15
16 By: /s/ Pamela M. Egan
17 Pamela M. Egan (WSBA No. 54736)
Attorneys for Mark D. Waldron, Chapter 7
Trustee, Plaintiff

18 I, Mark D. Waldron, declare based on my personal knowledge, that the
19 foregoing is true and correct.

20 Dated this 17th day February 2021 in Tacoma, Washington.

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22 
Mark D. Waldron

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